

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

In re)	
)	
David Laurence Long)	
)	No. 25-10298-BFK
Debtor.)	Chapter 13
_____)	

RESPONSE TO TRUSTEE'S MOTION TO DISMISS

COME NOW the Debtor, David Laurence Long, by counsel, and responds as follows to the Trustee's Motion to Dismiss.

The Debtor is diligently seeking better employment that will enable him to properly fund a plan and save his home. He is optimistic that he will soon have a well-paying job. However, in the event that suitable employment does not arrive in time, he expects to file an amended plan to sell the home in order to prevent foreclosure and preserve the substantial equity for his creditors and himself.

If he does that, he will not need to make the mortgage payments, so his income as an Uber driver will be sufficient to fund a plan, thus meeting the statutory regular income requirement under §101(30). That only requires that "income is sufficiently stable and regular to enable such individual to make payments under *a* plan," not any particular plan. He meets that requirement, because a hypothetical sale plan can be funded with his existing income.

As for good faith, while Debtor did have prior filings, after the last case, through his mother's estate he sold another property and he came completely current on his mortgages on his residence. This is not another filing to address the same default, but a good faith effort to save his home, or at least the equity in his home, for the benefit of himself, his children, and his creditors.

Accordingly, the motion to dismiss should be denied.

Dated: April 17, 2025.

Respectfully submitted,

/s/ Daniel M. Press
Daniel M. Press, VSB# 37123
CHUNG & PRESS, P.C.
6718 Whittier Avenue, Suite 200
McLean, Virginia 22101
(703) 734-3800
dpress@chung-press.com
Counsel for Debtor

CERTIFICATE OF SERVICE

This is to certify that on this 17th day of April, 2025, I caused the foregoing Response to be served by CM/ECF on the Chapter 13 Trustee and the Office of the U.S. Trustee.

/s/ Daniel M. Press
Daniel M. Press